

The Honorable John C. Coughenour

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

GLEN SCOTT MILNER,

Plaintiff,

v.

UNITED STATES DEPARTMENT OF THE
NAVY,

Defendant.

No. CV-06-1301- JCC

ORDER

The parties having notified the Court that the underlying merits of this case have been resolved, this case is HEREBY DISMISSED.

The joint motion of the parties to establish a briefing schedule on the question of Plaintiff's entitlement to reasonable fees and expenses pursuant to 5 U.S.C. § 552(a)(4)(E) is granted and it is HEREBY ORDERED that:

1. Upon the entry of the Order contemplated by this Motion, Milner will provide the Navy with all documentation it requires to support Milner's claim for attorneys fees and expenses; and the parties will begin to work together to resolve the issue of Milner's entitlement to reasonable fees and expenses pursuant to 5 U.S.C. § 552(a)(4)(E), as well as the extent of any such claim.

1 2. On September 21, 2012, in the event the parties are unable to resolve their dispute,
2 the Navy shall serve on Milner an Offer of Judgment pursuant to Fed. R. Civ. P. 68 and Milner
3 shall respond to such offer within seven days.

4 3. In the event Milner declines the Navy's Offer of Judgment, he shall file with the
5 Court his Application for an Award of Attorneys Fees pursuant to 5 U.S.C. § 552(a)(4)(E) on
6 October 12, 2012.

7 4. The Navy shall file its Response to Milner's Application on November 9, 2012.

8 5. Milner shall file his Reply to the Navy's Response on November 23, 2012.

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10 DATED this 17th day of July 2012.

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JOHN C. COUGHENOUR
United States District Judge